**South Carolina General Assembly**

119th Session, 2011-2012

**S. 201**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Lourie, Knotts, Rose, Hayes, O'Dell, Ryberg, Courson, Elliott, Massey, McConnell and Leventis

Document Path: l:\council\bills\dka\3142sd11.docx

Companion/Similar bill(s): 3678

Introduced in the Senate on January 11, 2011

Currently residing in the Senate Committee on **Fish, Game and Forestry**

Summary: Animal Fighting and Baiting Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/1/2010 Senate Prefiled

12/1/2010 Senate Referred to Committee on **Fish, Game and Forestry**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 94](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Fish, Game and Forestry** ([Senate Journal‑page 94](file:///h:\sj%20archive\2011\01-11-11.docx))

**VERSIONS OF THIS BILL**

[12/1/2010](file:///p:\pprever\2011-12\201_20101201.docx)

**A** **BILL**

TO AMEND SECTION 16‑27‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTIONS OF CERTAIN ACTIVITIES FROM THE ANIMAL FIGHTING AND BAITING ACT, SO AS TO DELETE THE EXEMPTION OF “BEAR‑BAYING”; AND TO AMEND SECTION 50‑11‑430, AS AMENDED, RELATING TO BEAR HUNTING AND UNLAWFUL ACTS IN REGARD TO BEARS INCLUDING A PROVISION THAT IT IS UNLAWFUL TO POSSESS A CAPTIVE BEAR EXCEPT BY PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO PROVIDE THAT A CAPTIVE BEAR FOR WHICH A PERMIT HAS BEEN ISSUED AND WHICH UPON INFORMATION AND BELIEF OF THE DEPARTMENT HAS BEEN OR IS BEING USED FOR THE PURPOSE OF “BEAR‑BAYING” MUST BE TAKEN INTO CUSTODY BY THE DEPARTMENT, AND TO PROVIDE THAT THE DEPARTMENT SHALL MAKE EVERY EFFORT TO PLACE THESE BEARS IN A SUITABLE ENVIRONMENT, INCLUDING ZOOS OR ANIMAL PARKS WITHIN OR OUTSIDE THIS STATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 16‑27‑80(A) of the 1976 Code, as last amended by Act 345 of 2006, is further amended to read:

“(A) This chapter does not apply to dogs used for the purpose of hunting, including, but not limited to, hunting on shooting preserves or wildlife management areas authorized pursuant to Title 50, or to dogs used in field trials, including events more commonly known as ‘water races’, ‘treeing contests’, ‘coon‑on‑a‑log’, ~~‘bear‑baying’,~~ or ‘fox‑pen‑trials’. Such ‘fox‑pen‑trials’ must be approved by permit for field trials by the South Carolina Department of Natural Resources.”

SECTION 2. Section 50‑11‑430(D)(6) of the 1976 Code, as last amended by Act 286 of 2010, is further amended to read:

“(6) possess a captive bear except pursuant to a permit issued by the department. A captive bear for which a permit has been issued and which upon information and belief of the department has been or is being used for the purpose of ‘bear‑baying’ must be taken into custody by the department. The department shall make every effort to place these bears in a suitable environment, including zoos or animal parks within or outside this State. A violation of the terms of the permit may result in revocation or a civil penalty of up to five thousand dollars, or both. An appeal must be made in accordance with the Administrative Procedures Act;”

SECTION 3. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑